

(FIRM NAME)/(LETTERHEAD)

(DATE)

(Father's Name)
(Father's Address)

(Mother's Name)
(Mother's Address)

RE: Guardian ad litem for minor children _____

Dear Mr. and Mrs. _____:

I was recently appointed by the _____ Superior Court to act as Guardian Ad Litem for your children, _____. The purpose of this letter is to inform you of my appointment, confirm the fee arrangement for my services and advise you of several important aspects of the role of a Guardian Ad Litem.

I understand that the court ordered you to split my fees equally. The hourly rate for services provided by me will be _____, the hourly rate for other attorneys who may provide services from this firm will range from _____ per hour to _____ and the hourly rate for paralegals or law clerks will be _____. All out-of-pocket costs will be your responsibility. You will receive monthly bills indicating the amount of time spent or costs incurred on this file with the charge(s) for that time. I am at this time requesting a retainer of _____ (\$_____ from each of you). If and when the initial retainer is exhausted, you will each pay fifty percent (50%) of any balance owed to this office on a monthly basis. We will not advance expenses for experts such as evaluators, therapists or supervisors out of our funds. This is to advise that we accept VISA, MasterCard, Diner's Club or Discover.

The fact that you have agreed to pay my fee will have absolutely no bearing on my representation of _____. My responsibilities and duties are limited to the children and neither parent may direct or control my representation. I will be available to discuss your concerns regarding them as the case develops and whenever you feel it necessary. My hope is that I can work with the two of you to reduce the conflict(s) between you, as I believe that is and will be in the children's best interest. There is no privilege that attaches to any communications between myself and either of you parents.

(Father's Name)
(Mother's Name)
Date
Page 2

In connection with this matter I will take necessary legal or investigative steps and incur necessary costs on behalf of the children. Kindly assist me in my duties by signing all necessary releases of information and in making the children available upon reasonable request.

At this time I would request that you call my office to set up separate appointments so that I can gain a understanding of each of your perspectives. At this initial meeting, you should provide me with copies of any and all reports and/or records you feel are pertinent. I will be requesting of your respective counsel copies of any and all motions, orders and the like so that I may be fully apprised as to the issues that remain unresolved at this time.

Enclosed please find a parent questionnaire designed to assist me in my information gathering. Please either bring the completed questionnaire with you to our first meeting or mail it back to me in the enclosed envelope. Also enclosed are authorizations for each of your children and one for yourself. Please sign all of the authorizations above where your name is typed (please do not date) and return them to me in the enclosed envelope.

In the future, if you feel there is an emergency and I do not respond to your call within 48 hours, please call and make an appointment to meet with me. Please notify my assistant of the urgency and he/she will schedule you in.

You may e-mail me at any time at _____, however, we are not required to respond to your e-mails with any sense of urgency. Please call my office if an emergency arises.

Finally, I would appreciate your signing and dating the original of this retainer agreement and returning the document to me in the envelope provided. The second copy is for your records.

Very truly yours,

Cc: (All counsel of record)

I hereby accept the terms of representation as set forth above.

(Father's Name)

(Date)

(Mother's Name)

(Date)

Date

Mr./Mrs. (Name)

Address

Address

Re: File Name

FEE EXPLANATION

Dear Mr./Mrs. (Name):

Although I am appointed by the Court to represent your children, I am a lawyer in private practice and am not paid by the Court. You and your children's other parent will be responsible for the payment of my fees and expenses, as you are for all of your children's expenses. My charges will be in addition to the fees charged by your own attorneys.

This letter will explain the arrangements concerning payment for my services rendered on your children's behalf and your responsibilities for payment.

The law provides that I am entitled to be awarded a "reasonable fee" for my services, as determined by the Court based on a number of factors, including my expertise, the prevailing rate for comparable services, the difficulty of the issues involved, and the amount of time devoted to the matter. I will charge \$250 per hour for all time I spend on this matter. I will also ask to be reimbursed for any out-of-pocket expenses incurred. As a general rule, my fees are found to be reasonable and the exact amount I have charged is awarded to me.

I request a retainer of \$5,000. I hope that you and the other parent will be able to agree to split that amount between you. If there is no agreement to pay the retainer, I will prepare a Motion asking the Court to order its payment, and will charge for the time necessary to obtain that order. I will expect to receive that retainer within two weeks so that I may begin working on your children's behalf promptly. Your share of my total fee may or may not be in the same proportion as your share of the retainer.

Mr./Mrs. Name

Date

Page 2

I ordinarily wait until the conclusion of the matter to collect the balance of my fees. In some cases, however, I may request an additional retainer before conclusion. Those cases include situations where I have had difficulty in collecting my original retainer, where the case continues for an unusually long time, where I believe that the parties are liquidating most or all of the assets from which I might be paid at the conclusion, and where the balance becomes too large for me to carry. If there is no agreement to pay the additional retainer, I will prepare a Motion asking the Court to order its payment and will charge for the time necessary to obtain that order.

If you wish, you may also make interim payments to me, whether or not the other parent chooses to do so. Whatever you pay me for any retainer or otherwise will be credited against your share of the total fee at the end of the case, and I will return any amounts paid in excess of my obligation.

I prepare a statement each month which specifies the tasks I have performed and the amount of time I devote to the matter. I will send copies to both parents via your lawyers so that you will all be aware of my efforts and the cumulative cost. If you have any questions at any time about my billing procedure or any bills you receive, please call me immediately to discuss them. I will use the retainer funds to pay my monthly charges so long as those funds are available.

At the conclusion of the case, I will return any unused portion of the retainer or ask the court to award me any fees and costs I have incurred in excess of the retainer.

Because there is usually a delay between the exhaustion of the retainer funds and the award of the balance of my fee request, I expect payment in full of any court-ordered fees within 30 days.

I typically charge 10% simple interest on any charges which remain outstanding after 30 days, as is permitted by Connecticut law.

I trust that these terms are acceptable to you, and I look forward to working with you and your children.

Very truly yours,

Acknowledged and understood: _____

Mr./Mrs. Parent Name

Date

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